

IFU

## TRANSMITTAL FORM

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Total Number of Pages in this Submission

53

Application Number

10/731,311

Filing Date

December 8, 2003

First Named Inventor

Adon Delgado Jr.

Group Art Unit

2828

Examiner Name

Not Yet Assigned

Attorney Docket Number

024.0001X1

### ENCLOSURES

(check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

Response & Amendment

☐

Affidavits/Declaration(s)

☐

Extension of time Request

☐

Express Abandonment Request

☒

Supplemental Information Disclosure Statement

☐

Certified Copy of Priority Documents

☐

Response to Missing Parts/  
Incomplete Application

☐

Response to Missing Parts  
Under 37 CFR 1.52 or 1.53

☐

Assignment Papers  
(for an Application)

☐

Drawing(s)

☐

Licensing-Related papers

☐

Petition

☐

Petition to Convert to a  
Provisional Application

☐

Power of Attorney, Revocation,  
Change of Correspondence  
Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CDs

Remarks

☐

After Allowance

Communication to Group

☐

Appeal Communication to Board  
of Appeals and Interferences

☐

Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter with appropriate copies

☒

Other Enclosure(s) (please identify below)

☐

Response to Restriction Requirement

☐

Associate Power of Attorney

☐

RCE

☐

Copy of Notice to File Missing Parts

☒

Form PTO/SB/08A

☒

Return Postcard

☒

Four References

☒

PCT Search Report

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or  
Individual

Erin P. Madill

Registration No.

46,893

Signature

*Erin P Madill*

Date

August 19, 2005

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage thereon, as first-class mail, in an envelope addressed to:

Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date listed below:

Typed or printed name

Erin P. Madill

Signature

*Erin P Madill*

Date

August 19, 2005



UTILITY PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In Re Application of: Adon Delgado Jr.                      Group Art Unit: 2828  
Serial No.: 10/731,311                      Examiner: Not Yet Assigned  
Filed: December 8, 2003  
Title: PHASE-CHANGE HEAT EXCHANGER  
Attorney Docket No.: 024.0001X1

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P O Box 1450  
Alexandria, VA 22313-1450

Commissioner:

In accordance with 37 C.F.R. 1.56 and in a manner prescribed by 37 C.F.R. 1.97 and 1.98, this Supplemental Information Disclosure Statement IDS is being submitted herewith for consideration by the United States Patent and Trademark Office.

I. **CONTENT**

This IDS includes:

- ☒ A list of all patents, publications, applications, or other information submitted for consideration by the Office on PTO/SB/08A Form, which is included herewith;
- ☒ A legible copy of: (i) each U.S. patent application publication and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) each cited pending U.S. application, the application specification including claims, and any drawing of the application, or that portion of the application which caused it to be listed including any claims directed to that portion; and (iv) all other information or that portion which caused it to be listed, unless subsequently provided in this IDS.

II. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

- ☐ Except as may be subsequently indicated in this section II, a concise explanation is not required as all of the patents, publications, applications or other information are in the English language.
- ☒ A concise explanation of the relevance, as it is presently understood by the individual designated in 1.56(a) most knowledgeable about the content of the information, of all patents, publications, applications or other information listed that is not in the English language. As best understood, the FR 2 831 950 reference relates to a heat exchanger, the Vetovec reference relates to an iodine laser, and the Lee et al., Ohm, Weigartner, , EP 1 156 293 A2, PCT/US2001/0712, and FR 2 026 088 A references relate either to heat transfer and/or materials used in heat transfer applications.
- ☐ A copy of the translation of a non-English Language document, or portion thereof. (e.g., a translation of an abstract)
- ☐ Any patent, publication, pending U.S. application or other information that is listed on PTO/SB/08A Form, which are not enclosed herewith were previously cited by or submitted to the Office in one of the following applications that has been relied on for an earlier effective filing date under 35 U.S.C 120 and the IDS submitted in the earlier application complies with paragraphs (a) through (c) of 1.98:

U.S. Application Serial No.	U.S. Filing Date

III. THIS IDS IS BEING FILED UNDER 37 C.F.R. 1.97(b): (check one box)

- ☐ Within three months of the filing date of a national application other than a continued prosecution application under 1.53(d).
- ☐ Within three months of the date of entry of the national stage as set forth in 1.491 in an international application.
- ☒ Before the mailing date of a first Office Action on the merits. In the event that a first Office Action on the merits has been mailed, please consider this IDS under 37 C.F.R. 1.97(c) and see the statement under 1.97(e) or charge deposit account 50-2091 the fee specified by 37 C.F.R. 1.17(p) if such statement is not selected in Section VI.

- ☐ Before the mailing of a first Office Action after the filing of a request for continued examination under 1.114.

IV. THIS IDS IS BEING FILED UNDER 37 C.F.R. 1.97(c):

- ☐ After the period specified in 37 C.F.R. 1.97(b) and before the mailing date of any of a final action under 1.113, a notice of allowance under 1.311 or an action that otherwise closes prosecution in the application, and accompanied by:
- ☐ a statement specified in 1.97(e) as subsequently provided in this IDS; or
  - ☐ the fee set forth in 1.17(p).

V. THIS IDS IS BEING FILED UNDER 37 C.F.R. 1.97(d):

- ☐ After the period specified in 37 C.F.R. 1.97(c) and on or before the payment of the issue fee, and it is accompanied by a statement specified in 1.97(e) as subsequently provided in this IDS **and** the fee set forth in 1.17(p).

VI. Statement under 37 C.F.R. 1.97(e) (check only one box)

The undersigned hereby states that:

- ☒ Each item of information contained in the IDS was first cited in any communication from a foreign patent office in a counterpart foreign application more than three months prior to the filing of this IDS.
- ☐ No item of information contained in the IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the IDS was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this IDS.

VII. PAYMENT OF FEES (check one box)

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed for fees due with respect to this IDS.
- ☐ Please charge Deposit Account No. 50-2091 in the amount of \$\_\_\_\_\_ for the fees due with respect to this IDS. A duplicate copy of this paper is included with this IDS.

VIII. CONCLUSION

It is respectfully submitted that the claims presently on file patently distinguish the present invention from each of these references cited in this IDS. The references cited in this IDS are being cited only in the interests of candor and without any admission that they constitute statutory prior art or contain matter which anticipates the invention or which would render the same obvious, either singly or in a combination, to a person of ordinary skill in the art. Furthermore the filing of this IDS should not be construed to be an admission that the information cited in this IDS is, or is considered to be, material to patentability as defined in 1.56(b). In addition, the filing of this IDS should not be construed as a representation that a search has been made.

If the Examiner has any questions concerning these IDS, the Examiner is requested to contact the undersigned at the telephone number associated with Customer No. 29,906. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule, with a petition if necessary, and charge the appropriate fee to Deposit Account No. 50-2091.

Please charge any additional fees or credit any overpayment related to this IDS to Deposit Account No. 50-2091.

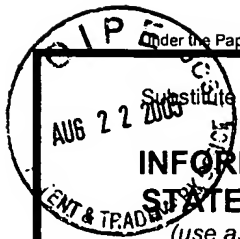
Respectfully submitted,

Date: August 19, 2005

By: Erin P. Madill  
Erin P. Madill  
Reg. No. 46,893

**Ingrassia Fisher & Lorenz**  
**Customer Number 29,906**

Enclosures: ☒ PTO/SB/08A  
☒ References



Substitute for form 1449A/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

1

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**Complete if Known**

Application Number

10/731,311

**Filing Date**

December 8, 2003

**First Named Inventor**

Adon Delgado Jr.

## Art Unit

2828

Examiner Name

Attorney Docket Number

024.0001X1

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Country Code <sup>3</sup> – Number <sup>4</sup> – Kind Code <sup>5</sup> (if known)				
		FR 2 831 950	05-09-2003	Daniel Becquaert		
		EP 1 156 293 A2	11-21-2001	Robert Bosch GMBH		
		PCT/US2001/07012	09-13-2001	UT-Battelle, LLC		
		FR 2 026 088 A	09-11-1970	Dunlop CY LTD		
		PCT Search Report for PCT/US2004/040738	05-20-2005	The Boeing Co.		

Examiner Signature		Date Considered	
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Examiner: Initial if reference considered, whether or not citation is in conformance with MPÉP 609. Draw line through citation in not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and selection option 2.*